

SEP 21 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN FRANCISCO CHAVEZ-
CALDERON,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-72374

Agency No. A098-986-260

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted September 13, 2010 **

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Juan Francisco Chavez-Calderon, a native and citizen of El Salvador,
petitions pro se for review of the decision of the Board of Immigration Appeals

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

dismissing his appeal from the immigration judge's denial of his application for asylum.

We reject Chavez-Calderon's claim that he is eligible for asylum based on his contentions that his refusal to join gangs constituted a political opinion, and that he is a member of a social group consisting of persons who will be persecuted and intimidated by gangs which the government of El Salvador is unable to control. *See Barrios v. Holder*, 581 F.3d 849, 854-56 (9th Cir. 2009) (refusal to join a gang does not amount to political opinion); *Santos-Lemus v. Mukasey*, 542 F.3d 738, 745-46 (9th Cir. 2008) (rejecting as a particular social group "young men in El Salvador resisting gang violence.")

Because Chavez-Calderon failed to demonstrate that he was persecuted on account of a protected ground, we deny the petition for review.

PETITION FOR REVIEW DENIED.